

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

AMERICAN STEWARDS OF LIBERTY,	§	
<i>et al</i> ,	§	
Plaintiffs,	§	
	§	
V.	§	CIVIL ACTION NO. 1:15-cv-01174-LY
	§	
DEPARTMENT OF THE INTERIOR,	§	
<i>et al</i> ,	§	
Defendants.	§	

AMENDED SCHEDULING ORDER

Pursuant to Rule 16, Federal Rules of Civil Procedure, the Court issues the following scheduling order:

IT IS ORDERED THAT:

1. The Court lifts the stay of this case [ECF #92] effective July 18, 2017.
2. The parties stipulate that Plaintiffs and Plaintiff-Intervenors may file amended complaints on or before July 18, 2017. Plaintiffs and Plaintiff-Intervenors must comply with all applicable statutory and procedural requirements in regards to a new complaint. Plaintiffs and Plaintiff-Intervenors will join any additional parties by July 18, 2017.
3. Defendants and Defendant-Intervenors shall respond to any amended pleadings, including by filing a motion to dismiss or for judgment on the pleadings on or before August 14, 2017.
4. If no motions to dismiss or motions for judgment on the pleadings are filed, the following schedule will apply. Defendants and Defendant-Intervenors reserve their right to move to vacate this schedule if Defendants or Defendant-Intervenors file a motion to dismiss or motion for judgment on the pleadings:

- a. Defendants will lodge the Administrative Record on a DVD disk with the Court by August 14, 2017.
- b. Motions to supplement the Administrative Record, if any, will be filed by August 28, 2017; oppositions will be filed by September 11, 2017; and replies will be filed by September 18, 2017. If a party believes it is entitled to take discovery, the parties will first confer regarding the scope of the proposed discovery. The party seeking discovery will file a motion for leave of the Court to conduct discovery by August 28, 2017; oppositions will be filed by September 11, 2017; and replies will be filed by September 18, 2017. If a motion to supplement the Administrative Record and a motion seeking discovery are both filed, the parties will confer and extend, as appropriate, the deadlines to respond.
- c. If no motions to supplement the Administrative Record or motions to seek discovery are filed:
 - i. Plaintiffs' and Plaintiff-Intervenors' Motions for Summary Judgment will be filed by October 6, 2017. Each motion will be limited to 30 pages and will include an appendix containing those portions of the administrative record that are cited or otherwise relied upon.
 - ii. Any amicus briefs will be filed by October 6, 2017. Each amicus brief will be limited to 10 pages and will include an appendix containing those portions of the administrative record that are cited or otherwise relied upon.
 - iii. Defendants' Cross-Motions for Summary Judgment and

Oppositions to Plaintiffs' and Plaintiff-Intervenor's respective Motions for Summary Judgment will be filed by December 1, 2017. Each motion will be limited to 30 pages and will include an appendix containing those portions of the administrative record that are cited or otherwise relied upon.

- iv. Defendant-Intervenors' Cross-Motions for Summary Judgment and Oppositions to Plaintiffs' and Plaintiff-Intervenor's respective Motions for Summary Judgment will be filed by December 8, 2017. Each motion will be limited to 20 pages and will include an appendix containing those portions of the administrative record that are cited or otherwise relied upon.
- v. Any Parties' response to an opposing amicus brief will be filed by December 8, 2017 and each response will be limited to 10 pages and will include an appendix containing those portions of the administrative record that are cited or otherwise relied upon.
- vi. Plaintiffs' and Plaintiff-Intervenors' combined Replies in Support of their Motions for Summary Judgment and Oppositions to Defendants' Cross-Motion for Summary Judgment and Oppositions to Defendant-Intervenors' Cross-Motion for Summary Judgment will be filed by January 12, 2018. Each brief will be limited to 30 pages and will include an appendix containing those portions of the administrative record that are cited or otherwise relied upon.
- vii. Defendants' Summary Judgment Reply briefs will be filed by

February 16, 2018. Each brief will be limited to 20 pages and will include an appendix containing those portions of the administrative record that are cited or otherwise relied upon.

- viii. Defendant-Intervenors' Summary Judgment Reply briefs will be filed by February 23, 2018. Each brief will be limited to 10 pages and will include an appendix containing those portions of the administrative record that are cited or otherwise relied upon.
- ix. The Court will hold a hearing on the parties' Cross-Motions for Summary Judgment on the Seventh Floor of the United States Courthouse, 501 West Fifth Street, Austin, Texas, on Friday, March 2, 2018, at 9:30 am.
- x. The parties anticipate that this case will be resolved via Cross-Motions for Summary Judgment. If not, the parties propose to meet and confer and file a joint status report within 14 days after the Court decides such motions.

SIGNED this _____ day of _____, 2017.

LEE YEAKEL
UNITED STATES DISTRICT JUDGE

AGREED:

Paul Weiland

Jeremy Hessler

Typed or Printed Name

Typed or Printed Name

/s/ Paul Weiland (with permission on 7.26.17)

/s/ Jeremy Hessler

Signature

Signature

ATTORNEY FOR PLAINTIFFS

ATTORNEY FOR DEFENDANTS

Chad Ennis

Ryan Shannon

Typed or Printed Name

Typed or Printed Name

/s/ Chad Ennis (with permission on 7.26.17)

/s/ Ryan Shannon (with permission on 7.26.17)

Signature

Signature

ATTORNEY FOR
PLAINTIFF-INTERVENORS

ATTORNEY FOR
DEFENDANT- INTERVENORS